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10 Attorneys for Plaintiff
UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT

12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 CARLOS VICTOR MESTANZA CERCADO,
17 JAZAEL PADILLA RESTO,
aka "Ricardo Noel Moya,"
18 aka "Ricardo Barbosa,"
aka "Alberto Javier Loza
19 Chamorro,"

20 Defendants.

No. 5:25-cr-00198-KK-1, 2

STIPULATION REGARDING REQUEST FOR
(1) CONTINUANCE OF TRIAL DATE AND
(2) FINDINGS OF EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT

CURRENT TRIAL DATES: 09-22-25
09-29-25

PROPOSED TRIAL DATE: 02-23-26

21
22 Plaintiff United States of America, by and through its counsel
23 of record, the Acting United States Attorney for the Central District
24 of California and Assistant United States Attorneys Kevin J. Butler
25 and Jena A. MacCabe, and defendants CARLOS VICTOR MESTANZA CERCADO
26 ("defendant MESTANZA") and JAZAEL PADILLA RESTO, also known as
27 "Ricardo Noel Moya," "Ricardo Barbosa," and "Alberto Javier Loza
28 Chamorro," ("defendant PADILLA," and together with defendant

1 MESTANZA, "defendants"),¹ both individually and by and through their
2 counsel of record, Adam Axelrad and Elon Berk, respectively, hereby
3 stipulate as follows:

4 1. The Indictment in this case was filed on June 11, 2025.
5 Defendant PADILLA first appeared before a judicial officer of the
6 court in which the charges in this case were pending on July 28,
7 2025. Defendant MESTANZA first appeared before a judicial officer of
8 the court in which the charges in this case were pending on August 6,
9 2025. The Speedy Trial Act, 18 U.S.C. § 3161, originally required
10 that the trial commence on or before October 6, 2025, for defendant
11 PADILLA and on or before October 15, 2025, for defendant MESTANZA.
12 All other co-defendants either are already pending trial on February
13 23, 2026, or are fugitives.

14 2. On July 28, 2025, the Court set a trial date of September
15 22, 2025, and a pretrial conference and motion hearing on September
16 4, 2025, at 1:30 p.m. for defendant PADILLA. On August 6, 2025, the
17 Court set a trial date of September 29, 2025, and a pretrial
18 conference and motion hearing on September 11, 2025, at 1:30 p.m. for
19 defendant MESTANZA.

20 3. Defendants are detained pending trial. The parties
21 estimate that the trial in this matter will last approximately six
22 days. All defendants are joined for trial and a severance has not
23 been granted.

24
25
26
27 ¹ Co-defendants PABLO RAUL LUGO LARROIG and JESON NELON PRESILLA
28 FLORES already have their trial date set for February 23, 2026. The
other co-defendants have not yet appeared in this case. Accordingly,
this stipulation involves only defendant MESTANZA and defendant
PADILLA.

1 4. By this stipulation, defendants move to continue the trial
2 date to February 23, 2026, and the pretrial conference and motion
3 hearing to February 5, 2026, at 1:30 p.m. This is the first request
4 for a continuance.

5 5. Defendants request the continuance based upon the following
6 facts, which the parties believe demonstrate good cause to support
7 the appropriate findings under the Speedy Trial Act:

8 a. Defendants are charged with violations of 18 U.S.C.
9 § 371: Conspiracy; 18 U.S.C. § 1951(a): Conspiracy to Interfere with
10 Commerce by Robbery and Interference with Commerce by Robbery; 18
11 U.S.C. § 659: Theft from Interstate or Foreign Shipment. The
12 government has produced discovery to the defense, including law
13 enforcement reports, investigative process and returns, videos,
14 photographs, license plate reader information, cell-site location
15 information, and criminal history information for a total of 4,491
16 bates numbers.

17 b. Defense counsel have the conflicts listed in Appendix
18 A. Accordingly, counsel represent that they will not have the time
19 that they believe is necessary to prepare to try this case on the
20 current trial date.

21 c. In light of the foregoing, counsel for defendants also
22 represent that additional time is necessary to confer with
23 defendants, conduct and complete an independent investigation of the
24 case, conduct and complete additional legal research including for
25 potential pre-trial motions, review the discovery and potential
26 evidence in the case, and prepare for trial in the event that a
27 pretrial resolution does not occur. Defense counsel represent that
28 failure to grant the continuance would deny them reasonable time

1 necessary for effective preparation, taking into account the exercise
2 of due diligence.

3 d. Defendants believe that failure to grant the
4 continuance will deny them continuity of counsel and adequate
5 representation.

6 e. The government does not object to the continuance.

7 f. The requested continuance is not based on congestion
8 of the Court's calendar, lack of diligent preparation on the part of
9 the attorney for the government or the defense, or failure on the
10 part of the attorney for the Government to obtain available
11 witnesses.

12 6. For purposes of computing the date under the Speedy Trial
13 Act by which defendant's trial must commence, the parties agree that
14 the time period of September 22, 2025, for defendant PADILLA and
15 September 29, 2025, for defendant MESTANZA to February 23, 2026,
16 inclusive, should be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A),
17 (h)(7)(B)(i), and (h)(7)(B)(iv) because the delay results from a
18 continuance granted by the Court at defendant's request, without
19 government objection, on the basis of the Court's finding that: (i)
20 the ends of justice served by the continuance outweigh the best
21 interest of the public and defendant in a speedy trial; (ii) failure
22 to grant the continuance would be likely to make a continuation of
23 the proceeding impossible, or result in a miscarriage of justice; and
24 (iii) failure to grant the continuance would unreasonably deny
25 defendant continuity of counsel and would deny defense counsel the
26 reasonable time necessary for effective preparation, taking into
27 account the exercise of due diligence.

7. Nothing in this stipulation shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods be excluded from the period within which trial must commence. Moreover, the same provisions and/or other provisions of the Speedy Trial Act may in the future authorize the exclusion of additional time periods from the period within which trial must commence.

IT IS SO STIPULATED.

Dated: August 16, 2025

Respectfully submitted,

BILAL A. ESSAYLI
Acting United States Attorney

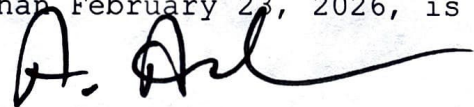
CHRISTINA T. SHAY
Assistant United States Attorney
Chief, Criminal Division

/s/

KEVIN J. BUTLER
JENA A. MACCABE
Assistant United States Attorneys

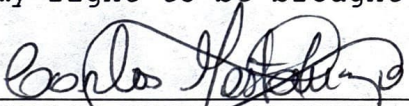
Attorneys for Plaintiff
UNITED STATES OF AMERICA

1 I am CARLOS VICTOR MESTANZA CERCADO's attorney. I have
 2 carefully discussed every part of this stipulation and the
 3 continuance of the trial date with my client. I have fully informed
 4 my client of his Speedy Trial rights. To my knowledge, my client
 5 understands those rights and agrees to waive them. I believe that my
 6 client's decision to give up the right to be brought to trial earlier
 7 than February 23, 2026, is an informed and voluntary one.

8 
 9 ADAM AXELRAD
 10 Attorney for Defendant
 11 CARLOS VICTOR MESTANZA CERCADO

8-22-25
 Date

12 I have read this stipulation and have carefully discussed it
 13 with my attorney. This agreement has been read to me in Spanish, the
 14 language I understand best, and I have carefully discussed every part
 15 of it with my attorney. I understand my Speedy Trial rights. I
 16 voluntarily agree to the continuance of the trial date, and give up
 17 my right to be brought to trial earlier than February 23, 2026.

18 
 19 CARLOS VICTOR MESTANZA CERCADO
 20 Defendant

8-22-25
 Date

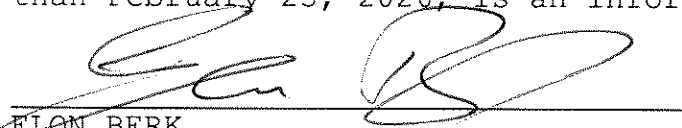
21 **CERTIFICATION OF INTERPRETER**

22 I, Esteban Mell, am fluent in the written and
 23 spoken English and Spanish languages. I accurately translated this
 24 entire agreement from English into Spanish to defendant CARLOS VICTOR
 25 MESTANZA CERCADO on this date.

26 
 27 INTERPRETER

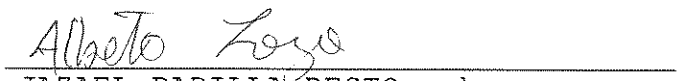
8.22.25
 Date

1 I am JAZAEL PADILLA RESTO's, also known as "Ricardo Noel Moya,"
 2 "Ricardo Barbosa," and "Alberto Javier Loza Chamorro," attorney. I
 3 have carefully discussed every part of this stipulation and the
 4 continuance of the trial date with my client. I have fully informed
 5 my client of his Speedy Trial rights. To my knowledge, my client
 6 understands those rights and agrees to waive them. I believe that my
 7 client's decision to give up the right to be brought to trial earlier
 8 than February 23, 2026, is an informed and voluntary one.

9 
 10 ELON BERK
 11 Attorney for Defendant
 12 JAZAEL PADILLA RESTO, aka
 13 "Ricardo Noel Moya," "Ricardo
 14 Barbosa," and "Alberto Javier
 15 Loza Chamorro"

8/28/25
 Date

14 I have read this stipulation and have carefully discussed it
 15 with my attorney. This agreement has been read to me in Spanish, the
 16 language I understand best, and I have carefully discussed every part
 17 of it with my attorney. I understand my Speedy Trial rights. I
 18 voluntarily agree to the continuance of the trial date, and give up
 19 my right to be brought to trial earlier than February 23, 2026.

20 
 21 JAZAEL PADILLA RESTO, aka
 22 "Ricardo Noel Moya," "Ricardo
 23 Barbosa," and "Alberto Javier
 24 Loza Chamorro"
 25 Defendant

8/28/25
 Date

CERTIFICATION OF INTERPRETER

26 I, Christopher Troxell, am fluent in the written and
 27 spoken English and Spanish languages. I accurately translated this
 28 entire agreement from English into Spanish to defendant JAZAEL

PADILLA RESTO, also known as "Ricardo Noel Moya," "Ricardo Barbosa,"
and "Alberto Javier Loza Chamorro," on this date.



INTERPRETER

8-28-25

Date

#103699